

HOUSE BILL 1472
By Briley

AN ACT to amend Tennessee Code Annotated, Section 13-7-208,
relative to the continuation of uses and structures not in
conformance with local government zoning.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 13-7-208, is amended by adding the
following as new subsections:

(g) The provisions of subsections (b)-(d) shall not apply if an industrial,
commercial, or other business establishment ceases to operate for a period of twelve
(12) continuous months and the industrial, commercial, or other business use of the
property did not conform with the land use classification as denoted in the existing
zoning regulations for the zoning district in which it is located. Anytime after the twelve
(12) month cessation, any use proposed to be established on the site must conform to
the provisions of the existing zoning regulations.

(h) The provisions of subsections (b)-(d) shall not apply to an on-site sign located
on the premises of an industrial, commercial or other business establishment. An on-
site sign for an industrial, commercial or other business establishment which is in
nonconformance with the existing zoning regulation shall be made to conform to the

zoning regulation no later than twelve (12) months after notification of the sign's nonconformance with the existing zoning regulation. The building commissioner or other official responsible for zoning compliance shall notify the owner of the industrial, commercial or other business establishment by registered return receipt mail of the sign's noncompliance and said notification shall set out the date for compliance.

(i) The provisions of subsections (b)-(d) shall not apply to an off-site sign. An off-site sign advertises or gives direction to an industrial, commercial or other business establishment located on a site other than the one on which the sign is located. The off-site sign shall be made to comply to the existing zoning regulation no later than seven (7) years after notification of the sign's nonconformance with the existing zoning regulation. The building commissioner or other official responsible for zoning compliance shall notify the owner of the sign by registered return receipt mail of the sign's nonconformance and said notification shall set out the date for compliance. In the event that the sign is destroyed or damaged by any means or causes and the cost of repair of said sign is fifty (50) percent of its replacement value, then the sign cannot be replaced or rebuilt at that site unless the repair will result in the sign conforming to the existing zoning regulations.

(j) Notwithstanding the provisions of subsection (d), any structure rebuilt on the site must conform to the provisions of the existing zoning regulations as to setbacks, height, bulk, or requirements as to the physical location of a structure upon the site.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.